

526 Rec'd PCT/PTO 06 JUL 2000

FORM PTO 100

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY DOCKET NUMBER

-3292

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

U.S. APPLICATION NO. (if known) (37 CFR 1.5)
09/486,623

INTERNATIONAL APPLICATION NO.
PCT/US98/19199

INTERNATIONAL FILING DATE
16 September 1998

PRIORITY DATE CLAIMED
16 September 1997

TITLE OF INVENTION
PEPTIDE NUCLEIC ACIDS HAVING ANTIBACTERIAL ACTIVITY

APPLICANT(S) FOR DO/EO/US
Peter E. NIELSEN and Liam GOOD

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☐ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ has been transmitted by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US)
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) 35 U.S.C. 371(c)(4).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern other document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A **FIRST** preliminary amendment.
☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information:
 - Copy of Notification of Missing Requirements dated May 1, 2000
 - Associate Power of Attorney
 - Petition for Extension of Time
 - A Sequence Listing in written (17 sheets) and computer readable form

07/11/2000 ERIMANDD 00000025 09486623

01 FC:154
02 FC:116

130.00 OP
380.00 OP

EXPRESS MAIL Mailing Label No. EL531429181US

Date of Deposit: July 6, 2000

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231

MAILER Bob Inforzato

SIGNATURE

[Signature]

U.S. APPLICATION NO. (if known 37 C.F.R. 1.5) 09/486,623		INTERNATIONAL APPLICATION NO. PCT/US98/19199		ATTORNEY DOCKET NUMBER ISPA-3292	
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17. <input checked="" type="checkbox"/> The following fees are submitted: Basic National Fee (37 CFR 1.492(a)(1)-(5)): Search Report has been prepared by the EPO or JPO.....\$840.00 International preliminary examination fee paid to USPTO (37 CFR 1.482)\$670.00 No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)).....\$690.00 Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO.....\$ 970.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4).....\$96.00 <div style="text-align: right; margin-top: 10px;"> ENTER APPROPRIATE BASIC FEE AMOUNT = </div>				CALCULATIONS PTO USE ONLY																																																																																					
<div style="margin-top: 10px;"> Surcharge of \$130.00 for furnishing the oath or declaration later than <u>20</u> <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)). </div> <table border="1" style="width:100%; border-collapse: collapse; margin-top: 5px;"> <tr> <th style="width:20%;">Claims</th> <th style="width:20%;">Number Filed</th> <th style="width:20%;">Number Extra</th> <th style="width:20%;">Rate</th> <th style="width:10%;"></th> <th style="width:10%;"></th> </tr> <tr> <td>Total claims</td> <td>- 20 =</td> <td></td> <td>X \$18.00</td> <td>\$</td> <td></td> </tr> <tr> <td>Independent Claims</td> <td>- 3 =</td> <td></td> <td>x \$78.00</td> <td>\$</td> <td></td> </tr> <tr> <td colspan="3">Multiple dependent claims(s) (if applicable)</td> <td>+ \$260.00</td> <td>\$</td> <td></td> </tr> <tr> <td colspan="4" style="text-align: right;">TOTAL OF ABOVE CALCULATIONS =</td> <td>\$130.00</td> <td></td> </tr> <tr> <td colspan="4">Reduction by 1/2 for filing by small entity, if applicable. Verified Small Entity statement must also be filed. (Note 37 CFR 1.9, 1.27, 1.28).</td> <td>\$</td> <td></td> </tr> <tr> <td colspan="4" style="text-align: right;">SUBTOTAL =</td> <td>\$130.00</td> <td></td> </tr> <tr> <td colspan="4">Fee for Petition for Extension of Time</td> <td>+</td> <td></td> </tr> <tr> <td colspan="4"></td> <td>\$380.00</td> <td></td> </tr> <tr> <td colspan="4" style="text-align: right;">TOTAL NATIONAL FEE =</td> <td>\$510.00</td> <td></td> </tr> <tr> <td colspan="4">Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property</td> <td>+</td> <td></td> </tr> <tr> <td colspan="4" style="text-align: right;">TOTAL FEES ENCLOSED =</td> <td>\$510.00</td> <td></td> </tr> <tr> <td colspan="4" rowspan="2"></td> <td style="text-align: center;">Amount to be:</td> <td></td> </tr> <tr> <td style="text-align: center;">refunded</td> <td>\$</td> </tr> <tr> <td colspan="4" rowspan="2"></td> <td style="text-align: center;">charged</td> <td>\$</td> </tr> </table>				Claims	Number Filed	Number Extra	Rate			Total claims	- 20 =		X \$18.00	\$		Independent Claims	- 3 =		x \$78.00	\$		Multiple dependent claims(s) (if applicable)			+ \$260.00	\$		TOTAL OF ABOVE CALCULATIONS =				\$130.00		Reduction by 1/2 for filing by small entity, if applicable. Verified Small Entity statement must also be filed. (Note 37 CFR 1.9, 1.27, 1.28).				\$		SUBTOTAL =				\$130.00		Fee for Petition for Extension of Time				+						\$380.00		TOTAL NATIONAL FEE =				\$510.00		Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				+		TOTAL FEES ENCLOSED =				\$510.00						Amount to be:		refunded	\$					charged	\$
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a. ☒ A check in the amount of \$ 510.00 to cover the above fee is enclosed.

b. ☐ Please charge my Deposit Account No. 23-3050 in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 23-3050. A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

John W. Caldwell
 Woodcock Washburn Kurtz
 Mackiewicz & Norris LLP
 One Liberty Place - 46th Floor
 Philadelphia, PA 19103
 (215) 568-3100

SIGNATURE

John W. Caldwell
 NAME

28,937
 REGISTRATION NUMBER

09/486623



Patent and Trademark Office
Address: ASSISTANT COMMISSIONER FOR PATENTS
Box PCT
Washington, D.C. 20231

U.S. APPLICATION NO. 486623	FIRST NAMED APPLICANT NIELSEN	ATTY. DOCKET NO. 1515-3292
INTERNATIONAL APPLICATION NO. PCT/US98/19199		
I.A. FILING DATE 09/16/98	PRIORITY DATE 09/16/97	

DATE MAILED: 05/01/00

JOHN W CALDWELL 5071
WOODCOCK WASHBURN KURTZ
MACKIEWICZ & NORRIS
ONE LIBERTY PLACE 46TH FLOOR
PHILADELPHIA PA 19103

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as

- ☐ a Designated Office (37 CFR 1.494),
☒ an Elected Office (37 CFR 1.495):

☒ U.S. Basic National Fee.

☒ Copy of the international application in:

☐ a non-English language.

☒ English.

☐ Translation of the international application into English.

☐ Oath or Declaration of inventors(s) for DO/EO/US.

☐ Copy of Article 19 amendments.

☐ Translation of Article 19 amendments into English.

☐ The International Preliminary Examination Report in English and its Annexes, if any.

☐ Translation of Annexes to the International Preliminary Examination Report into English.

☐ Preliminary amendment(s) filed _____ and _____.

☐ Information Disclosure Statement(s) filed _____ and _____.

☐ Assignment document.

☐ Power of Attorney and/or Change of Address.

☐ Substitute specification filed _____.

☐ Statement Claiming Small Entity Status.

☐ Priority Document.

☒ Copy of the International Search Report ☐ and copies of the references cited therein.

☒ Other: Sequence listing

2. The following items MUST be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- ☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.

☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.

- ☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).

- ☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the international application number and international filing date.

☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.

- ☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ _____ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☐ 21 OR ☒ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes MUST be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.

5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice MUST be returned with this response.

Enclosed: ☐ PCT/DO/EO/917 ☐ Notice of Defective Translation

☐ PTO-875

FORM PCT/DO/EO/905 (December 1997)

Telephone: (703) National Stage Process
(703) 305-2965

RECEIVED

MAY 04 2000

Woodcock Washburn Kurtz
Mackiewicz & Norris LLP

Kaya B. B. B. B.

(703) 305-2965